



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,804	05/31/2001	Robert Kersch	4100-262	1276

7590 07/03/2002

Thomas C. Pontani, Esq.
Cohen, Pontani, Lieberman & Pavane
Suite 1210
551 Fifth Avenue
New York, NY 10176

EXAMINER

CONE, DARIUS N

ART UNIT PAPER NUMBER

2834

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,804

Applicant(s)

KERSCH, ROBERT

Examiner

Darius N. Cone

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 4. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, 8 and 11 rejected under 35 U.S.C. 102(b) as being anticipated by Wolfgang (GB pat # 2 337 484 A).

With respect to claims 1 and 7, Wolfgang teaches a method of synchronizing drive motors so they are driven at the same speed (see Fig. 1, page 2, lines 17-23) by a control device having a program which is activated in the event of a web tear having an emergency stop ramp which brakes the motors to a standstill (also see, page 3, lines 4-24).

With respect to claim 8, Wolfgang teaches each cylinder driven by a respective drive cylinder (see page 3, lines 1-4).

With respect to claim 11, Wolfgang teaches a control device equipped with a program to drive the motors (see page 3, lines 15-20).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfgang (GB pat # 2 337 484 A).

Wolfgang teaches all that is claimed, as discussed in the above rejection of claims 1, 7, 8 and 11, except for the braking as claimed in claims 2 and 3. It would be obvious to one ordinary skilled in the art to modify the teachings of Wolfgang to optimize the speed at which the printing cylinders are being stopped when a web brake occurs, since one having ordinary skill in the art would recognize that immediate braking would be most efficient.

Claims 4, 6, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfgang (GB pat # 2 337 484 A) in view of Hammond (US pat # 6,262,555 B1).

With respect to claims 4 and 12, Wolfgang teaches all that is claimed, as discussed in the above rejection of claims 1, 7, 8 and 11, except for drive motors being braked by reversing the effective direction of torque produced by the motors. Hammond

et al. teach simultaneously applying braking torque by providing two different frequencies to the motor when braking is desired resulting in motor/load inertia being dissipated in the motor itself by using its own energy to brake the motor. It would be obvious to one ordinary skilled in the art to modify the braking control of Wolfgang by applying the frequencies to the drive motor to control braking torque, permitting the amount of braking to be accurately controlled.

With respect to claims 6 and 10, Wolfgang teaches all that is claimed, as discussed in the above rejection of claims 1-3, 7, 8 and 11, except for the drive motors being induction motors. Hammond et al. teach simultaneously applying braking torque to an induction motor by providing two different frequencies to the motor when braking is desired. It would be obvious to one ordinary skilled in the art to modify Wolfgang by using induction motors, which can use frequencies to vary the speed of the motor, permits motor speed to be estimated during braking and tune braking control.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfgang (GB pat # 2 337 484 A) in view of Marozzi et al. (US pat # 5,421,258).

With respect to claim 9, Wolfgang teaches all that is claimed, as discussed in the above rejection of claims 1-3, 7, 8 and 11, except for a built up cylinder having a hollow center part. Marozzi et al. teach a print cylinder that is hollow in many areas. It would be obvious to one ordinary skilled in the art to modify the cylinders used in Wolfgang's printer by adding the hollow built up cylinder of Marozzi et al. which is of considerably less weight.

Allowable Subject Matter

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 has been indicated for allowance because the prior art fails to teach drive cylinders remaining in printing position during breaking of the drive when a web break occurs.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darius N. Cone whose telephone number is (703) 308-1061. The examiner can normally be reached on 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5841 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800